IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 3459 of 2004(J)

PETITIONERS:

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1. E.VASU, PHARMACIST GRADE II,
GOVT. AURVEDA DISPENSARY, KARUVARAKUNDU, RESIDING AT ARCHANA NIVAS, R.S.ROAD, THUVVOOR P.O., MALAPPURAM DISTRICT

2. C.SARADHA, PHARMACIST GRADE II,
GOVT. AYURVEDA MENTAL HOSPITAL, KOTTAKKAL, RESIDING AT CHEMPRANGODE HOUSE, KADAMPUZHA P.O., MALAPPURAM DISTRICT

3. K.KALI, PHARMASIST GRADE II,
GOVT.URVEDA DISPENSARY, THUVVOOR, RESIDING AT KUZHIYAMKUTHU HOUSE, THUVVOOR P.O., MALAPPURAM DISTRICT

4. C.GOPALANKUTTY, PHARMACIST GRADE II
(RETIRED) GOVT. AYURVEDA DISPENSARY, VALLUVAMBRAM, RESIDING AT CHOZHAKKAD HOUSE, VALLUVAMBRAM P.O., MALAPPURAM DISTRICT

5. P.P.MADHAVI, PHARMACIST GRADE-II,
GOVT.AYURVEDA DISPENSARY, VETTOM, RESIDING AT PADINJARE PURAKKAL HOUSE, KORAD, OZHUR P.O., THANALUR, MALAPPURAM DISTRICT

6. P.SAROJINI, PHARMASIST GRADE II,
GOVT.AYURVEDA DISPENSARY, CHANDAKKUNNU, NILAMBUR, RESIDING AT CHALITHJODIKA HOUSE, EDAVANNA P.O., MALAPPURAM DISTRICT.

7. P.SREEDHARAN, PHARMACIST GRADE II,
GOVERNMENT AYURVEDA DISPENSARY, VALLATHUR, RESIDING AT CHALITHODIKA HOUSE, EDAVANNA P.O., MALAPPURAM DISTRICT

BY ADV. SRI.T.K.AJITH KUMAR

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RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY, DEPARTMENT OF HEALTH, SECERETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR, INDIAN SYSTEM OF MEDICINES DIRECTORATE OF INDIAN SYSTEM OF MEDICINES, THIRUVANANTHAPURAM

BY GOVERNMENT PLEADER SMT. LATHA THANKAPPAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 3459/2004 J

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER PASSED BY R2 NO. EL. 15553/81 DT. 1/2/94.

EXT.P2. COPY OF THE RELIEVING CERTIFICATE DT. 2/2/94 NO. 10708/G3/93/AVC.

EXT.P3. COPY OF THE JUDGMENT IN OP NO. 33223/01 DT. 5/11/01.

EXT.P4. COPY OF THE PROCEEDINGS OF THE R2 DT. 20/11/2002.

RESPONDENT'S EXHIBITS NIL.

True copy

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KURIAN JOSEPH J.

Writ Petition (Civil) No.3459 of 2004

Dated 26th November, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of mandamus or any other writ, order or direction, directing the respondents to give grade promotion to petitioners 1 to 3 and 5 to 7 forthwith;
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> (b) Issue a writ of mandamus or any other writ, order or direction, directing the respondents to sanction all emoluments and benefits to the petitioners as in the Pharmacist Grade I from the date 20.11.2002."

Learned Government Pleader submits that the matter is engaging the attention of the Government. There will be a direction to the first respondent to take a final decision in the matter with notice to the petitioners within three months from the date of production of a copy of the judgment. Depending on the orders thus passed by the Government, the consequential benefits, if any, to which the petitioners are found eligible also also be granted, within another two months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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